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-and-

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Attorneys for Defendant CAST Lighting LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

WANGS ALLIANCE CORPORATION
d/b/a WAC LIGHTING CO.

Plaintiff,

v.

CAST LIGHTING LLC,

Defendant.

No. 2:20-cv-03710-MCA-MAH

**DECLARATION OF BRYAN N. DEMATTEO CONCERNING
CAST LIGHTING LLC'S AND WANGS ALLIANCE CORP.'S
JOINT SUBMISSION (SUPPORT AND OPPOSITION) RE
CAST LIGHTING LLC'S MOTION FOR LEAVE TO STAY PROCEEDINGS**

I, BRYAN N. DEMATTEO, hereby declare as follows:

1. I am an attorney-at law over the age of 18, admitted *pro hac vice* in this judicial district and partner with the law firm of Kim IP Law Group, LLC, attorneys for Defendant, CAST Lighting LLC (“CAST”). I submit this declaration upon personal knowledge and in support of CAST’s Motion for Leave to Stay Proceedings.

2. Exhibit A is a true and correct copy of resolution statistics concerning motions to stay in the District of New Jersey based on pendency of proceedings before the Patent Trial and Appeal Board (“PTAB”), which statistics were downloaded from <http://www.docketnavigator.com> on January 27, 2021.

3. Exhibit B is a true and correct copy of a September 28, 2020 Order issued by the Northern District of Georgia in *Epic Tech, LLC v. Pen-Tech Assoc., Inc.*, No. 1:20-cv-2428-MHC (N.D. Ga. Sept. 28, 2020).

4. Exhibit C is a true and correct copy of WAC’s responses to CAST’s first set of requests for admission, which were served on October 19, 2020.

5. Exhibit D is a true and correct copy of an August 4, 2016 Order issued by the District of New Jersey in *Horizon Therapeutics, Inc. v. Lupin Ltd.*, No. 15-cv-07624-RBK-JS, ECF No. 42 (D.N.J. Aug. 4, 2016).

6. Exhibit E is a true and correct copy of a May 11, 2020 Order issued by the Central District of California in *DivX, LLC v. Netflix, Inc.*, No. 2:19-cv-01602 (C.D. Cal. May 11, 2020).

7. Exhibit F is a true and correct copy of a May 28, 2020 Order issued by the Southern District of Ohio in *Sherwood Sensing Solutions LLC v. Henny Penny Corp.*, No. 3:19-cv-00366 (S.D. Ohio Apr. 28, 2020).

8. Exhibit G is a true and correct copy of federal district statistics downloaded from <http://www.uscourts.gov>.

9. Exhibit H is a true and correct copy of WAC's disclosure of asserted claims and infringement contentions, served on July 24, 2020.

10. Exhibit I is a true and correct copy of a declaration of David Beausoleil in Support of CAST's Motion for Leave to Stay Proceedings.

11. Exhibit J is a true and correct copy of a September 25, 2020 Order issued by the Eastern District of Pennsylvania in *Moskowitz Family LLC v. Globus Medical, Inc.*, No. 20-cv-3271 (E.D. Pa. Sept. 25, 2020).

12. Exhibit K is a true and correct copy of trial statistics of the United States Patent Trial and Appeal Board published by the United States Patent and Trademark Office.

13. Exhibit L is a true and correct copy of a Petition for post-grant review of U.S. Patent No. 10,571,101, filed by CAST on November 24, 2020.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on February 17, 2021.

/Bryan N. DeMatteo/

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